

No. 69
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2004

Senate Chamber, Lansing, Tuesday, July 6, 2004.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Patricia L. Birkholz.

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

Allen—present
Barcia—present
Basham—present
Bernero—excused
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

Emerson—present
Garcia—present
George—present
Gilbert—present
Goschka—present
Hammerstrom—present
Hardiman—present
Jacobs—present
Jelinek—present
Johnson—present
Kuipers—present
Leland—present
McManus—present

Olshove—present
Patterson—present
Prusi—present
Sanborn—present
Schauer—present
Scott—excused
Sikkema—present
Stamas—present
Switalski—present
Thomas—present
Toy—present
Van Woerkom—present

Senator Michelle McManus of the 35th District offered the following invocation:

Dear Heavenly Father, we thank You for the freedoms we have celebrated over the 4th of July weekend. We are privileged to live in a land of democracy that encourages not only political freedom, but also religious freedom.

For over 200 years, You have watched over us and guided us on our journey in this great country. You have been with us each step of the way, through peace and war, through tough economic times, and times of internal crisis. Just as Peter walked across the storm-tossed Sea of Galilee to stand at Christ's side and was stronger for it, so are we stronger with every storm we have weathered as a nation.

We ask that You continue to guide our steps on the sea as this body continues to work. Help us to make wise decisions as we continue to work for the citizens of this state. Watch over this great land of freedom, and help us to live up to every example set by our forefathers.

In His name we ask. Amen.

The President pro tempore, Senator Birkholz, led the members of the Senate in recital of the *Pledge of Allegiance*.

Recess

Senator Sanborn moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:03 a.m.

10:35 a.m.

The Senate was called to order by the President pro tempore, Senator Birkholz.

During the recess, Senators Thomas, Gilbert, Stamas, Allen, Brown, Goschka, Cherry, Bishop, Van Woerkom, Jelinek, Hardiman, Sikkema, Kuipers, Johnson, Toy, Cassis, George, Cropsey and Hammerstrom entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Hammerstrom moved that Senator Garcia be temporarily excused from today's session.

The motion prevailed.

Senator Schauer moved that Senators Scott and Bernero be excused from today's session.

The motion prevailed.

Senator Hammerstrom moved that the following bill, now on the order of General Orders, be referred to the Committee on Natural Resources and Environmental Affairs:

Senate Bill No. 1132, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13c of chapter XVII (MCL 777.13c), as added by 2002 PA 30.

The motion prevailed.

Senator Hammerstrom moved that the following bill, now on the order of General Orders, be referred to the Committee on Education:

House Bill No. 5458, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 624 (MCL 380.624), as amended by 1995 PA 289.

The motion prevailed.

The following communications were received:
Office of the Auditor General

June 29, 2004

Enclosed is a copy of the following audit report:
Financial audit of the Commercial Mobile Radio Service Emergency Telephone Fund, Department of Treasury.

June 30, 2004

Enclosed is a copy of the following audit report:
Financial audit, including the provisions of the Single Audit Act, of the Department of Corrections.

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Thursday, July 1, and are available at the legislative Web site:

Senate Bill Nos. 1329 1330
House Bill Nos. 6059 6060 6061 6062 6063 6064 6065

The Secretary announced that the following official bills were printed on Friday, July 2, and are available at the legislative Web site:

Senate Bill Nos. 1331 1332 1333 1334 1335 1336

The following communication was received and read:
Office of the Senate Majority Leader

July 2, 2004

Pursuant to Senate Rule 3.203c, I am hereby re-referring House Bill 5030 from the Senate Natural Resources and Environmental Affairs Committee to the Senate Agriculture, Forestry and Tourism Committee.

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

Messages from the Governor

Senator Hammerstrom moved that consideration of the following bills be postponed for today:

Senate Bill No. 195
Senate Bill No. 364
Senate Bill No. 293
Senate Bill No. 265
Senate Bill No. 288
Senate Bill No. 540
Senate Bill No. 283
Senate Bill No. 464
Senate Bill No. 466
Senate Bill No. 395
Senate Bill No. 474
Senate Bill No. 840
Senate Bill No. 785
Senate Bill No. 788
Senate Bill No. 829
Senate Bill No. 841
Senate Bill No. 1093
Senate Bill No. 863
Senate Bill No. 865

Senate Bill No. 867
Senate Bill No. 869
Senate Bill No. 872
Senate Bill No. 875
Senate Bill No. 647
Senate Bill No. 320
The motion prevailed.

The following messages from the Governor were received:

Date: July 1, 2004
Time: 9:04 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 625 (Public Act No. 180), being

An act to amend 1986 PA 102, entitled “An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education,” by amending section 3 (MCL 390.1283).

(Filed with the Secretary of State on July 1, 2004, at 10:28 a.m.)

Date: July 1, 2004
Time: 9:06 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 626 (Public Act No. 181), being

An act to amend 1964 PA 208, entitled “An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program,” by amending section 7 (MCL 390.977), as amended by 1980 PA 500.

(Filed with the Secretary of State on July 1, 2004, at 10:30 a.m.)

Date: July 1, 2004
Time: 9:08 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 627 (Public Act No. 182), being

An act to amend 1976 PA 228, entitled “An act to provide for scholarships to high school graduates of this state; and to prescribe the powers and duties of the Michigan higher education assistance authority,” by amending section 4 (MCL 390.1304), as amended by 1980 PA 386.

(Filed with the Secretary of State on July 1, 2004, at 10:32 a.m.)

Date: July 1, 2004
Time: 9:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 628 (Public Act No. 183), being

An act to amend 1986 PA 273, entitled “An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies,” by amending section 3 (MCL 390.1403).

(Filed with the Secretary of State on July 1, 2004, at 10:34 a.m.)

Date: July 1, 2004
Time: 9:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 661 (Public Act No. 184), being

An act to amend 1978 PA 105, entitled “An act to provide grants to students enrolled in independent nonprofit institutions of higher learning; and to provide for the promulgation of rules,” by amending section 4 (MCL 390.1274).

(Filed with the Secretary of State on July 1, 2004, at 10:36 a.m.)

Date: July 1, 2004
Time: 10:00 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1194 (Public Act No. 185), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 11 (MCL 388.1611), as amended by 2003 PA 236.

(Filed with the Secretary of State on July 1, 2004, at 10:38 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received and read:

July 1, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121 and 16421 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16421:

Michigan Board of Chiropractic

Mr. Edward R. Knox of 17570 Magnolia Parkway, Southfield, Michigan 48075, county of Oakland, succeeding Patricia Nemacheck, whose term has expired, representing the general public, for a term commencing July 1, 2004 and expiring December 30, 2007.

Sincerely,
Jennifer M. Granholm
Governor

The appointment was referred to the Committee on Government Operations.

Messages from the House

Senator Hammerstrom moved that consideration of the following bills be postponed for today:

Senate Bill No. 267

Senate Bill No. 774

The motion prevailed.

Senate Bill No. 1167, entitled

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending the title and sections 4, 4a, 5a, 7, and 9 (MCL 28.724, 28.724a, 28.725a, 28.727, and 28.729), section 4 as amended by 1999 PA 85 and section 4a as added and sections 5a, 7, and 9 as amended by 2002 PA 542, and by adding section 5b.

(The House amendments were concurred in on July 1 and the motion to reconsider the vote postponed, see Senate Journal No. 68, p. 1334.)

The question being on the motion to reconsider the vote by which the House amendments were concurred in, Senator Hammerstrom withdrew the motion.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title as amended.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senator Garcia entered the Senate Chamber.

House Bill No. 4013, entitled

A bill to amend 1956 PA 205, entitled “An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to

authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act,” by amending section 2 (MCL 722.712), as amended by 1998 PA 113.

(For text of amendment, see Senate Journal No. 67, p. 1316.)

The question being on concurring in the House amendment made to the Senate substitute,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 522

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Bernero	Scott
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Not Voting—0

In The Chair: Birkholz

Senate Bill No. 1215, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 13 (MCL 400.713), as amended by 2004 PA 59.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 523

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Bernero

Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the full title.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Third Reading of Bills

Senator Hammerstrom moved that the following bills be placed at the head of the Third Reading of Bills calendar:

House Bill No. 5878**House Bill No. 5879****House Bill No. 5882****House Bill No. 5884****House Bill No. 5887****House Bill No. 5888****House Bill No. 5889****House Bill No. 5890****House Bill No. 5893****House Bill No. 5894****House Bill No. 5895****House Bill No. 5896****House Bill No. 5897****House Bill No. 5899****House Bill No. 5900****House Bill No. 5876****House Bill No. 4729****House Bill No. 4730****House Bill No. 4260****Senate Bill No. 1252****Senate Bill No. 1328****Senate Bill No. 146****House Bill No. 5969****House Bill No. 5698**

The motion prevailed.

The following bill was read a third time:

House Bill No. 5878, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2002 PA 76.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 524**Yeas—36**Allen
BarciaClark-Coleman
ClarkeHardiman
JacobsPrusi
Sanborn

Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Bernero Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5879, entitled

A bill to amend 2000 PA 92, entitled “Food law of 2000,” (MCL 289.1101 to 289.8111) by adding section 4116.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 525

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Bernero

Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5882, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 13a (MCL 400.713a), as added by 1992 PA 176.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 526

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Bernero

Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the licensing and regulation of adult foster care facilities; to provide for the establishment of standards of care for adult foster care facilities; to prescribe powers and duties of the department of social services and other departments; to prescribe certain fees; to prescribe penalties; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5884, entitled

A bill to amend 2001 PA 267, entitled “Manufacturing milk law of 2001,” (MCL 288.561 to 288.740) by adding section 110a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 527**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0**Excused—2**

Bernero

Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to define and regulate milk, cream, frozen desserts, and related foods and by-products of those foods under certain circumstances; to prescribe certain powers and duties of certain state agencies and officers; to prohibit the sale of unclean and unsanitary milk and manufactured dairy products and their use in the manufacture of food products; to prohibit unclean and unsanitary conditions of milk and milk processing establishments; to establish production and

handling standards of sanitary milk and dairy products for manufacturing and manufactured dairy products; to regulate the sale and transportation of milk and dairy products for manufacturing purposes; to issue licenses and permits to certain persons and provide for the revocation or suspension of licenses and permits under certain circumstances; to impose certain fees; to require certain security devices under certain circumstances; to establish inspection requirements; to promulgate rules; to set certain standards for milk and dairy products, processing, and pasteurization; to provide for penalties and remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5887, entitled

A bill to amend 1972 PA 295, entitled “Forensic polygraph examiners act,” by amending sections 7 and 15 (MCL 338.1707 and 338.1715).

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 528

Yeas—35

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0

Excused—2

Bernero	Scott
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Not Voting—1

Clarke

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to license and regulate persons who purport to be able to detect deception, verify truthfulness, or provide a diagnostic opinion of either through the use of any device or instrumentation as lie detectors, forensic polygraphs, deceptographs, emotional stress meters or similar or related devices and instruments; to create a state board of forensic polygraph examiners with licensing and regulatory powers over all such persons and instruments; to provide for administrative proceedings and court review; to establish minimum standards and requirements for all such instrumentation or devices and to prohibit the use of instruments or devices which do not meet minimum standards and requirements; and to provide for injunctions and penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5888, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled “Motor vehicle sales finance act,” by amending section 4 (MCL 492.104) and by adding section 6a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 529

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Bernero	Scott
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Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; transferring certain powers and duties with respect to finance companies to the commissioner of the financial institutions bureau; and prescribing penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5889, entitled

A bill to amend 2002 PA 733, entitled “State plumbing act,” by amending section 31 (MCL 338.3541).

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Bishop
Brater
Brown
Cassis
Cherry

Garcia
George
Gilbert
Goschka
Hammerstrom

Kuipers
Leland
McManus
Olshove
Patterson

Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—2

Bernero

Scott

Not Voting—0

In The Chair: Birkholz

Senator Schauer moved that Senator Emerson be temporarily excused from the balance of today's session.
The motion prevailed.

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5893, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending sections 9, 11, and 25 (MCL 338.1059, 338.1061, and 338.1075), sections 9 and 25 as amended by 2002 PA 473 and section 11 as amended by 2000 PA 411.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 532

Yeas—35

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—3

Bernero

Emerson

Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to license and regulate private security guards, private security police, private security guard agencies and security alarm systems servicing, installing, operating, and monitoring; to provide penalties for violations; to protect the general public against unauthorized, unlicensed and unethical operations by individuals engaged in private security activity or security alarm systems sales, installations, service, maintenance, and operations; to establish minimum qualifications for individuals as well as private agencies engaged in the security business and security alarm systems and operations; to impose certain fees; to create certain funds; and to prescribe the powers and duties of the departments of state police and consumer and industry services.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5894, entitled

A bill to amend 1984 PA 192, entitled “Forbes mechanical contractors act,” by amending sections 6 and 10 (MCL 338.976 and 338.980), section 10 as amended by 1997 PA 119.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 533**Yeas—35**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0**Excused—3**

Bernero	Emerson	Scott
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Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to regulate the use, installation, alteration, and servicing of specified heating, cooling, ventilating, and refrigerating equipment and systems; to create a board of mechanical rules; to provide for the licensing of installing

contractors and of servicing contractors of heating, cooling, ventilating, and refrigerating equipment and systems; to prescribe fees; to provide for the promulgation of rules; and to prescribe penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5895, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20162 (MCL 333.20162) and by adding section 20935.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 534

Yeas—35

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0

Excused—3

Bernero	Emerson	Scott
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Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5896, entitled

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending sections 11 and 23 (MCL 432.11 and 432.23), as amended by 1996 PA 167.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 535

Yeas—35

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0

Excused—3

Bernero	Emerson	Scott
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Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5897, entitled

A bill to amend 1931 PA 189, entitled “The insect pest and plant disease act,” by amending section 9 (MCL 286.209), as amended by 2003 PA 104.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 536

Yeas—35

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer

Basham	Cropsey	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0

Excused—3

Bernero	Emerson	Scott
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Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to regulate the sale and distribution of nursery stock, plants, and plant products; to prevent the introduction into and the dissemination within this state of insect pests and plant diseases; to provide for the destruction and control of insect pests and plant diseases; to provide for the destruction of certain plants by owners of certain fruit trees; to provide for license and to provide for inspection; and imposing certain powers and duties on the director of agriculture; to provide for the promulgation of rules; and to prescribe penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5899, entitled

A bill to amend 1939 PA 141, entitled “Grain dealers act,” by amending section 7 (MCL 285.67), as amended by 2002 PA 80.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 537

Yeas—35

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0

Excused—3

Bernero

Emerson

Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to regulate the storage, warehousing, buying, and selling of farm produce within this state; to provide for the licensing, regulation, and bonding of grain dealers; to provide for warehouse receipts, acknowledgment forms, and price later agreements and their use and priority; to provide for the creation of security interests; to provide for certain powers and duties of the department of agriculture and its director; to impose certain duties on insurance companies and sureties; and to provide administrative remedies and penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5900, entitled

A bill to amend 1956 PA 217, entitled “Electrical administrative act,” by amending section 3 (MCL 338.883), as amended by 1997 PA 120.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 538**Yeas—35**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0**Excused—3**

Bernero

Emerson

Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to safeguard persons and property; to provide for licensing and regulation of electricians and electrical contractors concerning the construction, alteration, installation of electrical wiring and equipment and for the inspection of electrical wiring; to create an electrical administrative board; to create certain committees for certain purposes; to provide certain powers and duties for certain departments; to provide for the assessment of certain fees and for the promulgation of rules; and to prescribe penalties for violations of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5876, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3104, 3503, 4105, 6516, 6517, 6521, 8310, 8504, 9112, 11509, 11511, 11512, 11516, 11542, 11703, 11704, 11709, 30104, 30105, 30113, 30304, 30307, 31509, 31512, 32312, 32503, 32515, 35304, 36505, 41702, 41709, 42101, 42501, 42702, 44513, 44517, 45503, 45902, 45903, 45906, 61525, 62509, 63103a, 63103c, 63514, 63524, 63525, 63704, 63708, 72108, 76105, 76109, 76504, and 80159 (MCL 324.3104, 324.3503, 324.4105, 324.6516, 324.6517, 324.6521, 324.8310, 324.8504, 324.9112, 324.11509, 324.11511, 324.11512, 324.11516, 324.11542, 324.11703, 324.11704, 324.11709, 324.30104, 324.30105, 324.30113, 324.30304, 324.30307, 324.31509, 324.31512, 324.32312, 324.32503, 324.32515, 324.35304, 324.36505, 324.41702, 324.41709, 324.42101, 324.42501, 324.42702, 324.44513, 324.44517, 324.45503, 324.45902, 324.45903, 324.45906, 324.61525, 324.62509, 324.63103a, 324.63103c, 324.63514, 324.63524, 324.63525, 324.63704, 324.63708, 324.72108, 324.76105, 324.76109, 324.76504, and 324.80159), sections 3104, 30104, and 32312 as amended by 2003 PA 163, sections 3503, 6521, and 8504 as added by 1995 PA 60, sections 6516 and 6517 as amended by 1996 PA 166, section 8310 as amended by 2002 PA 418, section 9112 as amended by 2000 PA 504, sections 11509 and 11511 as amended by 1996 PA 358, sections 11512 and 11516 as amended by 2003 PA 153, section 11542 as amended by 1996 PA 359, section 30105 as amended by 1999 PA 106, section 30113 as amended by 1995 PA 171, sections 30304, 31509, 31512, 32515, and 35304 as added by 1995 PA 59, section 30307 as amended by 1998 PA 228, section 32503 as amended by 2002 PA 148, section 36505 as amended by 1998 PA 470, section 41702 as amended by 2001 PA 23, sections 41709, 42101, 42501, 44513, 44517, 45503, 45903, 63514, 63525, 63704, and 63708 as added by 1995 PA 57, section 42702 as amended by 2000 PA 191, section 45902 as amended by 1996 PA 200, section 45906 as amended by 2003 PA 270, section 61525 as amended by 1998 PA 303, section 62509 as amended by 1998 PA 467, sections 63103a and 63103c as added by 1997 PA 149, sections 63524 and 76504 as amended by 2001 PA 78, sections 72108 and 80159 as added by 1995 PA 58, and sections 76105 and 76109 as amended by 2001 PA 75, and by adding sections 1301, 1303, 1305, 1307, 1309, and 1311.

The question being on the passage of the bill,

Senator Sanborn offered the following amendments:

1. Amend page 9, line 4, after “began” by inserting a comma and “**unless the director determines on an application-by-application basis that the public interest is best served by processing in a different order**”.

2. Amend page 10, following line 12, by inserting:

“(d) **The number of applications approved or denied after the processing deadline that, based on the director’s determination of the public interest, were not processed in sequence as otherwise required by section 1307(5).**” and relettering the remaining subdivisions.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 539

Yeas—35

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0

Excused—3

Bernero

Emerson

Scott

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The Associate President pro tempore, Senator Barcia, assumed the Chair.

The following bill was read a third time:

House Bill No. 4729, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 3313.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 540

Yeas—35

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—3

Bernero

Emerson

Scott

Not Voting—0

In The Chair: Barcia

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4730, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30113 (MCL 324.30113), as amended by 1995 PA 171, and by adding part 33; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Birkholz offered the following amendment:

1. Amend page 5, line 9, after “**to**” by striking out “**section 8307a**” and inserting “**part 83**”.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 541**Yeas—35**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0**Excused—3**

Bernero	Emerson	Scott
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Not Voting—0

In The Chair: Barcia

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts;”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4260, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 174a (MCL 750.174a), as added by 2000 PA 222.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 542

Yeas—34

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0

Excused—3

Bernero	Emerson	Scott
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Not Voting—1

Johnson

In The Chair: Barcia

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

The President pro tempore, Senator Birkholz, resumed the Chair.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at

the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

Senator Emerson entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1252, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2543 (MCL 600.2543), as amended by 1986 PA 308.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 543

Yeas—35

Allen	Clarke	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom
Clark-Coleman	Hardiman	Prusi	

Nays—1

Cassis

Excused—2

Bernero

Scott

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1328, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 224a (MCL 750.224a), as amended by 2002 PA 709.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 544

Yeas—30

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Kuipers	Sikkema

Basham	George	McManus	Stamas
Birkholz	Gilbert	Olshove	Switalski
Bishop	Goschka	Patterson	Thomas
Brown	Hammerstrom	Prusi	Toy
Cassis	Hardiman	Sanborn	Van Woerkom
Cherry	Jacobs		

Nays—4

Brater	Clark-Coleman	Emerson	Leland
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Excused—2

Bernero	Scott
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Not Voting—2

Garcia	Johnson
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In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 146, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 307b.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 545**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0**Excused—2**

Bernero	Scott
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Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5969, entitled

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” by amending sections 15, 17, 19, and 55 (MCL 257.1815, 257.1817, 257.1819, and 257.1855), sections 17, 19, and 55 as amended by 2000 PA 49.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 546**Yeas—35**

Allen	Clarke	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Prusi	

Nays—0**Excused—2**

Bernero

Scott

Not Voting—1

Clark-Coleman

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to regulate the equipment, maintenance, operation, and use of school buses and pupil transportation vehicles; to prescribe the qualifications of school bus and pupil transportation vehicle drivers; to prescribe the powers and duties of certain state and local governmental agencies; to create an advisory committee and to prescribe its powers and duties; and to prescribe remedies and penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5698, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 5j (MCL 28.425j), as amended by 2002 PA 719.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 547

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Bernero	Scott
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Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the title of the bill.

Senator Clark-Coleman stated that had she been present on June 29 when the votes were taken on the passage of the following bills, she would have voted “yea”:

- House Bill No. 5647**
- House Bill No. 5716**
- House Bill No. 5928**
- House Bill No. 5932**
- Senate Bill No. 1241**
- Senate Bill No. 1114**
- House Bill No. 5674**

Senator Clark-Coleman stated that had she been present on June 30 when the votes were taken on the passage of the following bills, she would have voted “yea”:

- Senate Bill No. 850**
- Senate Bill No. 851**

Senate Bill No. 143
Senate Bill No. 184
Senate Bill No. 1001
Senate Bill No. 1003
House Bill No. 5463
House Bill No. 5653
Senate Bill No. 1285
House Bill No. 5931
House Bill No. 5930
House Bill No. 5598
House Bill No. 5021
House Bill No. 5174
House Bill No. 5175
House Bill No. 5176
House Bill No. 5177
House Bill No. 5178

Senator Clark-Coleman stated that had she been present on June 30 when the vote was taken on concurring in the House substitute, as amended, to the following bill, she would have voted "yea":

Senate Bill No. 831

Senator Clark-Coleman stated that had she been present on July 1 when the votes were taken on concurring in the House substitutes and amendments to the following bills, she would have voted "yea":

Senate Bill No. 832
Senate Bill No. 998
Senate Bill No. 999
Senate Bill No. 1000
Senate Bill No. 1025
Senate Bill No. 1167
Senate Bill No. 1228

Senator Clark-Coleman stated that had she been present on July 1 when the votes were taken on the passage of the following bills, she would have voted "yea":

Senate Bill No. 1115
Senate Bill No. 1129
Senate Bill No. 817
House Bill No. 5824
House Bill No. 5823
House Bill No. 5979
House Bill No. 4338
House Bill No. 4947
House Bill No. 5376
House Bill No. 5665
Senate Bill No. 1269
Senate Bill No. 1270
Senate Bill No. 544
Senate Bill No. 545
Senate Bill No. 546
Senate Bill No. 547
Senate Bill No. 548
Senate Bill No. 549
Senate Bill No. 550
Senate Bill No. 551
Senate Bill No. 552

Senator Clark-Coleman stated that had she been present on July 1 when the vote was taken on the adoption of the amendment offered by Senator Garcia to the following bill, she would have voted "yea":

Senate Bill No. 544

Senator Clark-Coleman stated that had she been present on July 1 when the vote was taken on the adoption of the amendment offered by Senator Schauer to the following bill, she would have voted "yea":

Senate Bill No. 551

By unanimous consent the Senate proceeded to the order of
General Orders

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Birkholz, designated Senator Jelinek as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Birkholz, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 5990, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 301 (MCL 168.301), as added by 2003 PA 302.

House Bill No. 5991, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 305 (MCL 168.305), as added by 2003 PA 302.

House Bill No. 5992, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 309.

House Bill No. 5993, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 311 (MCL 168.311), as added by 2003 PA 302.

House Bill No. 5994, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 316.

House Bill No. 5995, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2003 PA 302.

House Bill No. 5996, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 500f (MCL 168.500f), as amended by 2003 PA 302.

House Bill No. 5997, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642 (MCL 168.642), as added by 2003 PA 302.

House Bill No. 5998, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644g (MCL 168.644g), as amended by 2003 PA 302.

House Bill No. 5999, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642a (MCL 168.642a), as added by 2003 PA 302.

House Bill No. 6000, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 646a (MCL 168.646a), as amended by 2003 PA 302.

House Bill No. 6001, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 659 (MCL 168.659), as added by 2003 PA 302.

House Bill No. 6002, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 699 (MCL 168.699).

House Bill No. 6003, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 972 (MCL 168.972), as amended by 2003 PA 302.

House Bill No. 6004, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 21 (MCL 78.21), as amended by 2003 PA 304.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendments, the following bill:

House Bill No. 5482, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 679a.

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 1, line 7, after "**with**" by striking out the balance of the line through "**inspector**" on line 8 and inserting "**an equal number**".

2. Amend page 1, line 9, after "**number**" by striking out the comma and "**as nearly as possible,**".

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendment, the following bill:

House Bill No. 6005, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 1 and 5 of chapter II and section 1 of chapter III (MCL 62.1, 62.5, and 63.1), as amended by 2003 PA 305.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 2, line 4, after "council" by inserting a comma and "**and may provide by ordinance for the method of changing from 2-year staggered terms to 4-year staggered terms**".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendments, the following bill:

House Bill No. 6025, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7hh. The following are the amendments recommended by the Committee of the Whole:

1. Amend page 1, line 9, after "**unit**" by striking out the balance of the line through "**commissioners**" on line 11.

2. Amend page 3, line 3, after "**unit**" by striking out the balance of the line through "**commissioners**" on line 5.

3. Amend page 3, line 27, after "**hearing.**" by striking out the balance of the line through "**located.**" on line 6 of page 4.

4. Amend page 4, line 14, by striking out all of subsection (5) and renumbering the remaining subsections.

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendment, the following bill:

House Bill No. 6026, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 10 (MCL 125.2790).

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 5, line 8, after “**years.**” by inserting “**A qualified start-up business may receive the exemption under this subsection in nonconsecutive years.**”.

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1130, entitled

A bill to amend 1978 PA 361, entitled “Michigan exposition and fairgrounds act,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14a, and 15a (MCL 285.161, 285.162, 285.163, 285.164, 285.165, 285.166, 285.167, 285.168, 285.169, 285.170, 285.171, 285.172, 285.173, 285.174a, and 285.175a), sections 2, 5, 6, 7, 8, 9, and 11 as amended and sections 14a and 15a as added by 2000 PA 39.

Substitute (S-4).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Hammerstrom moved that the following bill be placed at the head of the Third Reading of Bills calendar:

House Bill No. 4612

The motion prevailed.

The following bill was announced:

House Bill No. 4612, entitled

A bill to amend the Initiated Law of 1996, entitled “Michigan gaming control and revenue act,” by amending section 12 (MCL 432.212), as amended by 1997 PA 69.

(This bill was defeated on June 17 and the motion to reconsider the vote postponed. See Senate Journal No. 62, p. 1159.)

The question being on the motion to reconsider the vote by which the bill was defeated,

The motion prevailed.

The question being on the passage of the bill,

Senators Sikkema and Emerson offered the following substitute:

Substitute (S-9).

The question being on the adoption of the substitute,

Senator Emerson offered the following amendment to the substitute:

1. Amend page 4, line 20, after “**reduced**” by striking out “**by 50%**” and inserting “**to 1% to be deposited entirely into the general fund**”.

The amendment to the substitute was adopted.

Senator Emerson offered the following amendment to the substitute:

1. Amend page 4, line 7, after “**operational**” by inserting a comma and “**including, but not limited to, its full casino enterprise,**”.

The amendment to the substitute was adopted.

The substitute, as amended, was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was defeated, 3/4 of the members serving not voting therefor, as follows:

Roll Call No. 548

Yeas—28

Allen
Barcia
Basham
Birkholz
Brater

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia

Goschka
Hammerstrom
Hardiman
Jelinek
Kuipers

Schauer
Sikkema
Stamas
Switalski
Thomas

Brown
Cherry

George
Gilbert

Leland
Prusi

Toy
Van Woerkom

Nays—8

Bishop
Cassis

Jacobs
Johnson

McManus
Olshove

Patterson
Sanborn

Excused—2

Bernero

Scott

Not Voting—0

In The Chair: Birkholz

Senator Hammerstrom moved that rule 3.311 be suspended to permit reconsideration of the vote by which the bill was defeated.

The question being on the motion to suspend the rule,

Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

Call of the Senate

Senator Sikkema moved that there be a Call of the Senate.

The motion prevailed, a majority of the members present voting therefor, the time being 12:49 p.m.

Proceedings under the Call

The roll was called by the Secretary of the Senate and the following Senators were reported absent: Senators Bernero and Scott.

Senator Sikkema moved that the Sergeant at Arms be dispatched after the absentees.

The motion prevailed.

Senator Hammerstrom moved that the Senate proceed with business under the Call.

The motion prevailed.

By unanimous consent the Senate returned to the order of

Messages from the House

The House of Representatives returned, in accordance with the request of the Senate

House Bill No. 5647, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 1 and 3 of chapter XI (MCL 771.1 and 771.3), section 1 as amended by 2002 PA 666 and section 3 as amended by 2003 PA 101.

Senator Hammerstrom moved that rule 3.311 be suspended to permit reconsideration of the vote by which the bill was passed.

The motion prevailed, a majority of the members serving voting therefor.

to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 1 and 3 of chapter XI (MCL 771.1 and 771.3), section 1 as amended by 2002 PA 666 and section 3 as amended by 2004 PA 116.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

By unanimous consent the Senate returned to the order of

General Orders

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Birkholz, designated Senator Jelinek as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Birkholz, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 5195, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 8 (MCL 28.728), as amended by 2002 PA 542.

The bill was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 1206, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 3 and 12 (MCL 207.773 and 207.782), as amended by 2001 PA 217.

Substitute (S-4).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4920, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 3, 4, 5, 5a, 8, and 9 (MCL 28.722, 28.723, 28.724, 28.725, 28.725a, 28.728, and 28.729), sections 2, 5, 5a, 8, and 9 as amended by 2002 PA 542 and sections 3 and 4 as amended by 1999 PA 85, and by adding sections 8c and 8d.

Substitute (S-2).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 27, line 7, after "**granted**" by striking out the balance of the line through "**first,**" on line 8.

The Senate agreed to the substitute, as amended, recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5240, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11, 13, and 14 of chapter II (MCL 762.11, 762.13, and 762.14), section 11 as amended by 1993 PA 293, section 13 as amended by 2002 PA 483, and section 14 as amended by 1994 PA 286.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 4, line 9, after “XI.” by inserting “**Beginning January 1, 2005, the terms and conditions of probation may include participation in a drug treatment court under chapter 10A of the revised judicature act of 1961, 1961 PA 236, MCL 600.1060 to 600.1082.**”.

2. Amend page 7, line 14, by striking out “department of social services, and” and inserting “**family independence agency,**”.

3. Amend page 7, line 14, after “personnel” by inserting “**and, beginning January 1, 2005, prosecuting attorneys**”.

The Senate agreed to the substitute, as amended, recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Hammerstrom moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 4920

House Bill No. 5240

House Bill No. 5195

House Bill No. 5482

House Bill No. 5990

House Bill No. 5991

House Bill No. 5992

House Bill No. 5993

House Bill No. 5994

House Bill No. 5995

House Bill No. 5996

House Bill No. 5997

House Bill No. 5998

House Bill No. 5999

House Bill No. 6000

House Bill No. 6001

House Bill No. 6002

House Bill No. 6003

House Bill No. 6004

House Bill No. 6005

House Bill No. 6025

House Bill No. 6026

The motion prevailed, a majority of the members serving voting therefor.

The following bill was read a third time:

House Bill No. 4920, entitled

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending sections 2, 4, 5, 5a, 8, and 10 (MCL 28.722, 28.724, 28.725, 28.725a, 28.728, and 28.730), sections 2, 5, 5a, 8, and 10 as amended by 2002 PA 542 and section 4 as amended by 1999 PA 85, and by adding sections 8c and 8d; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 550

Yeas—36

Allen
 Barcia
 Basham
 Birkholz
 Bishop

Clark-Coleman
 Clarke
 Cropsey
 Emerson
 Garcia

Hardiman
 Jacobs
 Jelinek
 Johnson
 Kuipers

Prusi
 Sanborn
 Schauer
 Sikkema
 Stamas

Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to require persons convicted of certain offenses to register; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe penalties and sanctions.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5240, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 11, 13, and 14 of chapter II (MCL 762.11, 762.13, and 762.14), section 11 as amended by 1993 PA 293, section 13 as amended by 2002 PA 483, and section 14 as amended by 1994 PA 286.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 551

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5195, entitled

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending section 8 (MCL 28.728), as amended by 2002 PA 542.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 552

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to require persons convicted of certain offenses to register; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe penalties and sanctions.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5482, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 679a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 553**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0**Excused—0****Not Voting—2**

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to

Roll Call No. 555**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0**Excused—0****Not Voting—2**

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5992, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 309.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 556**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas

Cassis
Cherry

Goschka
Hammerstrom

Olshove
Patterson

Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5993, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 311 (MCL 168.311), as added by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 557

Yeas—36

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom

Hardiman
Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson

Prusi
Sanborn
Schauer
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5994, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 316.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 558**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0**Excused—0****Not Voting—2**

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the

resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5995, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 381 (MCL 168.381), as amended by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 559

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero	Scott
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In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5996, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 500f (MCL 168.500f), as amended by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 560**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0**Excused—0****Not Voting—2**

Bernero	Scott
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In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5997, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 642 (MCL 168.642), as added by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 561**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski

Brown
Cassis
Cherry

Gilbert
Goschka
Hammerstrom

McManus
Olshove
Patterson

Thomas
Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5998, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 644g (MCL 168.644g), as amended by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 562

Yeas—36

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom

Hardiman
Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson

Prusi
Sanborn
Schauer
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5999, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 642a (MCL 168.642a), as added by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 563**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0**Excused—0****Not Voting—2**

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6000, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 646a (MCL 168.646a), as amended by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 564

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero	Scott
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In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6001, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 659 (MCL 168.659), as added by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 565

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6002, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 699 (MCL 168.699).

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 566

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn

Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6003, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 972 (MCL 168.972), as amended by 2003 PA 302.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 567

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6004, entitled

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending section 21 (MCL 78.21), as amended by 2003 PA 304.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 568

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6005, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending sections 1 and 5 of chapter II and section 1 of chapter III (MCL 62.1, 62.5, and 63.1), as amended by 2003 PA 305.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 569

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6025, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7hh. The question being on the passage of the bill,

Senator Jacobs offered the following amendment:

1. Amend page 4, following line 13, by inserting:

"(5) If the governing body of a local tax collecting unit adopts a resolution approving the exemption provided in this section, each affected tax collecting unit may, by resolution adopted within 45 days of the adoption of the resolution under subsection (4), deny the exemption under this section for taxes levied by that taxing unit." and renumbering the remaining subsections.

The question being on the adoption of the amendment,

Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 4612, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 12 (MCL 432.212), as amended by 1997 PA 69.

(This bill was defeated earlier today and the motion to suspend the rule to reconsider the vote postponed. See p. 1409.)

The question being on the motion to suspend rule 3.311 to permit reconsideration of the vote by which the bill was defeated,

The motion prevailed, a majority of the members serving voting therefor.

Senator Hammerstrom moved to reconsider the vote by which the bill was defeated,

The motion prevailed.

The question being on the passage of the bill,

Senator Hammerstrom moved to reconsider the vote by which the substitute offered by Senators Sikkema and Emerson was adopted.

The motion prevailed.

The question being on the adoption of the substitute,

Senator Jacobs offered the following amendment to the substitute:

1. Amend page 6, following line 20, by inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4610 of the 92nd Legislature is enacted into law."

The amendment to the substitute was not adopted.

Senator Emerson moved to reconsider the vote by which the second amendment he offered to the substitute was adopted.

The motion prevailed.

The question being on the adoption of the amendment,

Senator Emerson withdrew the amendment.

Senator Emerson offered the following amendment to the substitute:

1. Amend page 6, following line 18, by inserting:

"(14) As used in this section, "fully operational" means fully operating the licensee's entire casino and casino enterprise, including, but not limited to, its hotel required under its development agreement."

The amendment to the substitute was adopted.

The substitute, as amended, was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, 3/4 of the members serving voting therefor, as follows:

Roll Call No. 570

Yeas—29

Allen	Clarke	Hammerstrom	Schauer
Barcia	Cropsey	Hardiman	Sikkema
Basham	Emerson	Jelinek	Stamas
Birkholz	Garcia	Kuipers	Switalski
Brater	George	Leland	Thomas

Brown
Cherry
Clark-Coleman

Gilbert
Goschka

Olshove
Prusi

Toy
Van Woerkom

Nays—7

Bishop
Cassis

Jacobs
Johnson

McManus
Patterson

Sanborn

Excused—0

Not Voting—2

Bernero

Scott

In The Chair: Birkholz

Senator Hammerstrom moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the licensing, regulation, and control of casino gaming operations, manufacturers and distributors of gaming devices and gaming related equipment and supplies, and persons who participate in gaming; to provide the distribution of revenue for public education, public safety and economic development; authorizing limited casino operations within the state of Michigan; to vest authority for the licensing, regulation, and control of casino gaming in the Michigan gaming control board; to restrict certain political contributions; to establish a code of ethics for certain persons involved in gaming; to create certain funds; to impose and authorize certain taxes and fees; to impose penalties; to authorize conservators under certain circumstances; and to make an appropriation.”.

The Senate agreed to the full title.

Protest

Senator Cassis, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4612.

Senator Cassis' statement is as follows:

I rise to explain my “no” vote on House Bill No. 4612, increasing the gaming tax on Detroit casinos. A “no” vote is a step towards reducing the state budget. It's a step toward reducing a structural deficit, not contributing to it. I think a recent Lansing news site said it best. Increasing the casino tax is a case of hitting at another social leper—gambling—in order to satisfy their spending appetites.

I, for one, envision another approach. Limit the spiral of increasing taxes, and keep Michigan jobs and the economy growing.

Senator Hammerstrom moved that the Call of the Senate be lifted.

The motion prevailed.

Senator Schauer moved that Senators Scott and Bernero be excused from the balance of today's session.

The motion prevailed.

The Assistant President pro tempore, Senator Sanborn, assumed the Chair.

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 6025, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7hh. (This bill was read a third time earlier today, amendment offered and consideration postponed. See p. 1430.)

The question being on the adoption of the amendment offered by Senator Jacobs,

The amendment was not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 571

Yeas—33

Allen	Cropsey	Jelinek	Sanborn
Barcia	Emerson	Johnson	Schauer
Birkholz	Garcia	Kuipers	Sikkema
Bishop	George	Leland	Stamas
Brater	Gilbert	McManus	Switalski
Brown	Goschka	Olshove	Thomas
Cassis	Hammerstrom	Patterson	Toy
Cherry	Hardiman	Prusi	Van Woerkom
Clarke			

Nays—2

Basham	Jacobs
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Excused—2

Bernero	Scott
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Not Voting—1

Clark-Coleman

In The Chair: Sanborn

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6026, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 10 (MCL 125.2790).

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 572

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	McManus	Thomas
Cassis	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Bernero	Scott
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Not Voting—0

In The Chair: Sanborn

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties;".

The Senate agreed to the full title.

The President pro tempore, Senator Birkholz, resumed the Chair.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Hammerstrom moved that consideration of the following resolutions be postponed for today:

Senate Resolution No. 175

Senate Resolution No. 139

Senate Resolution No. 241

Senate Concurrent Resolution No. 40

The motion prevailed.

Senate Resolution No. 275.

A resolution offered in memoriam of Pat Carpio and his mother Lillian Carpio.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Prusi was named co-sponsor of the resolution.

Senator Thomas offered the following resolution:

Senate Resolution No. 282.

A resolution to memorialize the Congress of the United States and the United States Department of Education to require the testing of students on social science and civic literacy.

Whereas, While it has always been a key part of the education process, testing has become central to the effort to increase the academic skills of our young people. The effort to prepare them for a competitive world that demands excellence has led Michigan to develop testing programs to monitor and encourage progress in all subject areas, including social studies; and

Whereas, As the federal government addresses the overall quality of education in our country, it is most appropriate that policymakers remain mindful of the fundamental value of civics and social studies programs. Federal requirements for testing to measure and encourage progress in social science and civic literacy will go a long way to fostering in the rising generations greater appreciation for the responsibilities of citizenship; and

Whereas, While achievement in subject areas like mathematics and science are clearly of great importance to the future of our young people and our nation, the challenges and responsibilities of citizenship are critical to the quality and endurance of our democracy; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States and the United States Department of Education to require the testing of students on social science and civic literacy; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the United States Secretary of Education.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Allen, Clarke and Prusi were named co-sponsors of the resolution.

Senators Garcia, Prusi, Toy, Kuipers, Brown, Cassis, Goschka, Hardiman and Jacobs offered the following resolution:

Senate Resolution No. 283.

A resolution to urge Michigan's public colleges and universities to refund tuition, fees, and room and board that have been forfeited as a result of a military deployment to students who are members of the National Guard and military reserves called to active duty after an academic term has started.

Whereas, As our country continues to fight the threat of terror in the world, our military personnel and their families are making great personal sacrifices. Although it is clear that we can never fully repay the debt we owe to the men and women who put themselves in peril to safeguard the liberties we enjoy as Americans, we have an obligation to do all we can to mitigate some of the sacrifices member of the military make to defend our country; and

Whereas, The military initiatives in Iraq and Afghanistan are being carried out not only by troops that were already on active duty, but also by tens of thousands of men and women who have been called to active duty from the National Guard or reserve units. For these men and women, careers, education, and family responsibilities have been disrupted dramatically. In many cases, the call to active status takes place very quickly. For a student who has just started an academic term, mobilization to active duty can mean leaving school after tuition, fees, and room and board have been prepaid and after any dates when refunds may be made by the college or university; and

Whereas, The financial pressures facing many Guard members and reservists called to active duty can be very imposing. State institutions should do all they can to accommodate these extraordinary situations by establishing policies that relieve this burden through refunds of tuition, fees, and room and board to students who interrupt their studies to fulfill their military responsibilities; now, therefore, be it

Resolved by the Senate, That we urge Michigan's public colleges and universities to refund tuition, fees, and room and board that have been forfeited as a result of military deployment to students who are members of the National Guard and military reserves called to active duty after an academic term has started; and be it further

Resolved, That copies of this resolution be transmitted to Michigan's public colleges and universities.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations,

Senator Hammerstrom moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Allen, Bishop, Clarke, Cropsey, Olshove and Sanborn were named co-sponsors of the resolution.

Senators McManus, Kuipers, Cassis, Switalski, Sikkema, Hammerstrom, Toy, Birkholz, Hardiman, Brown, Patterson, Gilbert, George, Stamas, Van Woerkom, Allen, Bishop, Clarke, Jacobs, Basham and Bernero offered the following resolution:

Senate Resolution No. 284.

A resolution to recognize and commemorate the life of Richard A. Jenema, May 22, 1945 - June 22, 2004.

Whereas, Mr. Richard A. Jenema, a lifelong resident of the Wexford and Missaukee counties of northwest Michigan's Lower Peninsula, dedicated his life to the service and protection of his fellow citizens. Mr. Jenema's career in civil service began on January 1, 1966, when he took office as the undersheriff of Missaukee County; and

Whereas, Mr. Jenema served as undersheriff of Missaukee County until June 1, 1977, when he accepted appointment to the position of sheriff of Missaukee County. During his tenure as sheriff, Mr. Jenema was instrumental in establishing the Missaukee County EMS. He organized the Ambulance Department and emergency medical technicians, purchased fully-equipped ambulances, appointed a coordinator for emergency services, created a fee structure for the Ambulance Department, and purchased the Jaws of Life; and

Whereas, Mr. Jenema also supervised the remodeling of the old jail facilities to create a more accessible environment for the correctional officers and more cells for a safer community. He retired from his position as sheriff on December 31, 1992; and

Whereas, He resumed his civil service career on March 1, 1993, when he began to serve as sergeant at arms in the House of Representatives at the State Capitol in Lansing, Michigan. Mr. Jenema continued this service until January 4, 1999, when he became chief sergeant at arms in the House of Representatives at the State Capitol in Lansing; now, therefore, be it

Resolved by the Senate, That we hereby recognize Mr. Richard A. Jenema for his civil service to the state of Michigan. We applaud his efforts to resolve civil disputes with pleantry and compassion; and be it further

Resolved, That a copy of this resolution be transmitted to Mrs. Kathy Jenema and the Jenema family as a token of our support and sympathy as they mourn the passing of such an honorable servant as Mr. Richard A. Jenema.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Cropsey, Garcia, Goschka and Prusi were named co-sponsors of the resolution.

Senators Prusi, Garcia, Cherry, McManus, Schauer, Allen and Stamas offered the following resolution:

Senate Resolution No. 285.

A resolution to express support for the U.P. Entrepreneurship Development System grant application to the W.K. Kellogg Foundation.

Whereas, The W.K. Kellogg Foundation has issued a national request for proposals seeking to promote four Entrepreneurship Development Systems in Rural America. The proposals that are submitted will go through an initial review in August 2004; and

Whereas, The Michigan Senate is committed to the notion that creating and encouraging entrepreneurs in rural communities is a sound strategy in support of rural development; and

Whereas, Northern Economic Initiatives Corporation in Marquette, Michigan, intends to be the Lead Applicant for a proposal that will support the Rural Entrepreneurship Development in the Upper Peninsula. The lessons learned through working in this region can be transferred to other rural communities of Michigan; and

Whereas, Northern Economic Initiatives Corporation has compiled a successful track record in support of entrepreneurs, with 60 percent of its loans benefiting start-up companies. Nearly all of these enterprises have become sustainable businesses, and

Whereas, Other partners in this application include local schools offering entrepreneurship education to K-12 students; intermediate school districts providing teacher training support; public universities, including the Northern Michigan University Center for Economic Education and the Michigan Technological University Rural Entrepreneurship Through Action Learning, aiding in the business education of entrepreneurs and youth; the Small Business Development Center (First Step) providing business counseling and workshops on behalf of thousands of people interested in starting a business; the Michigan Works! Job Force Board and Biz Resource Centers, including career support for K-12 entrepreneurs and prospective entrepreneurs; business incubators in the Michigan Tech Enterprise Smart Zone, aiding technology companies with business support services, networking, and university connections and in the Sault Industrial Incubator that are aiding in the launch of manufacturers and technology companies; and the Eastern U.P. Nature Tourism Alliance supporting small businesses to develop and promote tourism packages; and

Whereas, The U.P. Entrepreneurship Development System will be comprehensive in bringing entrepreneurship skills to students, adults, and business leaders in four sectors—manufacturing, secondary wood processing, technology, and tourism; now, therefore, be it

Resolved by the Senate, That we express support for the U.P. Entrepreneurship Development System grant application to the W.K. Kellogg Foundation and endorse efforts to boost entrepreneurship in rural communities throughout our state ; and be it further

Resolved, That copies of this resolution be transmitted to representatives of the W.K. Kellogg Foundation and Northern Economic Initiatives Corporation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Commerce and Labor.

The motion prevailed.

Senators Clarke, Goschka, Jacobs and Thomas were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Clarke, George, Cropsey and Brown asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Clarke's statement is as follows:

Yesterday, I gave the school CEO of Detroit a choice. I gave him a choice between rescinding his layoff notices, reinstating the teachers of the Detroit Public Schools to their former positions, or otherwise resign from his office. I make this statement not because I personally dislike the Detroit schools CEO—as a matter of fact, I find him to be a gracious gentleman—but I offer him this option in order to restore the credibility of the administration of the Detroit Public Schools.

Soon after the shocking announcement that the public schools budget would anticipate a shortfall of approximately \$250 million, the public's credibility in the management of that school district is now at an all-time low. Think about it. What Detroit parent will want to send their child to an overcrowded classroom that doesn't have enough teachers?

Today, I will send a written letter to the CEO of the Detroit Public Schools making my request. I have attempted to schedule a meeting with him personally and have placed a phone call to him. Those attempts have been unsuccessful. Again, I urge the CEO of the Detroit Public Schools to rescind the layoffs, to reinstate all of the teachers, or resign.

Senator George's statement is as follows:

I want to make note of two important anniversaries today—July 6th. July 6, 1854, was the birth of the Michigan Republican Party. I've previously spoken about the events leading up to that convention in Jackson. I wanted to give a little more information to complete the story.

It was 150 years ago today that the coalitions of three different political parties met in Jackson for this planned convention. The meeting was larger than anticipated, between 3,000-5,000 people turned out. The meeting was to take place in the City Hall of Jackson, but was instead adjourned to the oak grove. The meeting was chaired by a gentleman from Kalamazoo, a businessman, Davis S. Walbridge. The result of the convention was a series of nominations for that fall's state elections. They included three Liberty Party candidates, five former Whigs, and two former Democrats. So the new party was truly a commingling of the three.

Among the resolutions adopted at the convention was one submitted by Jacob M. Howard, who was later to serve as the Michigan Attorney General. He called for the name of the new party to be adopted and gave it the "Republican" name. He later stated that he had received the suggestion from the *Detroit Tribune's* editor, Joseph Warren, who had in turn been given the idea from private correspondences with Horace Greeley. Horace Greeley was the editor of the *New York Daily Tribune*. The name was adopted.

Greeley's *New York Daily Tribune* later carried three articles about the Jackson convention. It was covered by the New York newspapers, and on July 11th, he commented that the name under which the opponents of the Nebraska iniquity have enlisted for their war is simply Republican. "This, we think, would be very generously adopted." So that was his comment in the New York papers.

The other anniversary we have today is the birth of one of our colleagues who is celebrating his half-century. It was also on July 6, 1954, that the Senator from the 16th District was born. I just want to point out a fortuitous coincidence here. Senator Brown lives in the farm house built by his great-great-grandparents. He's the sixth generation of his family to reside in southwest Michigan, but I would point out that just like he lives in the farm house built by his great-great-grandparents, by his ancestors, we all live in the parties designed and built by our predecessors. So just like Senator Brown benefits from the work of his ancestors, we've all benefited from the work of our forebears and our political parties.

So I rise to wish the Republican Party happy birthday and Senator Brown happy birthday and thank him for the ice cream.

Senator Cropsey's statement is as follows:

Yesterday was an historic day in Michigan history. Against all odds, against the Lansing and Washington politicians, and other tremendous difficulties, the citizens of Michigan spoke loudly and clearly. They want to decide the marriage

issue, not leave it up to the extremist Massachusetts judges, the mayors that flout the law in New York, Oregon, and California, or the extremist special interest groups that are trying to shut the people out of the democratic process.

The citizens of Michigan needed 317,757 valid signatures to put this on the ballot. Yesterday they turned in 482,590 signatures, over 50 percent more than necessary. This is unprecedented in Michigan history. Some of the amazing things about this campaign:

1. Less than four months ago, there was no organization formed to gather signatures.
2. Some of the major organizations that are for this issue would not participate in the signature-gathering drive because they felt that the petition drive did not have enough time to be successful.
3. Because of this, it made raising money more difficult. This major petition-gathering drive was run on a shoestring budget.
4. Over 90 percent of the signatures were gathered by volunteers.
5. 182,000 signatures were gathered in the last week alone.
6. 64,000 were gathered in the last two days.

As far as I am aware, there has never been a grassroots organization that has gathered this number of signatures in so short a period of time with so little money and with no major political backing. The people are speaking loudly to us in Lansing. This is the message: Marriage has always been defined by common sense, by law, by nature, and by nature's Creator as only between a man and a woman. Secondly, don't mess with marriage. We should heed the people's wisdom. Not only in Lansing should we heed the people, but the Washington politicians need to listen—including the United States Senators, Congressmen, and the presidential candidates.

This is a national grassroots phenomenon. At least 11 states and probably 13 states will vote on the marriage amendment issue this year. In Missouri, Louisiana, Georgia, Kentucky, Mississippi, Oklahoma, and Utah, the state legislatures have put this issue on the ballot for the voters to amend their state constitutions—as the Michigan Legislature had the opportunity to do, but we refused to do.

In Montana, Oregon, Arkansas, and now Michigan, the people have taken the issue into their own hands and have gathered far more signatures than necessary. Petition drives are currently underway in North Dakota and Ohio. Their petitions must be turned in by early August.

Obviously, the message the people are sending is don't force homosexual marriage on us; let the people decide.

Senator Brown's statement is as follows:

I rise to honor a distinguished constituent, Mr. Jon Beckwith, who so kindly served us ice cream during today's session. Mr. Beckwith was born in Columbus, Ohio, but moved to Michigan in 1964. He graduated from Hillsdale High School in Hillsdale, Michigan, and the University of Alabama. Jon and his wife Kathryn live with their four children in Hillsdale. He has two sons in college and a daughter and a son still at home. Yes, they all love ice cream and are all actively involved in the test market R&D arm of the family business.

Jon Beckwith has been called the Thomas Edison of ice cream. He didn't invent it, but he has taken the sweet concoction to another level. If the names Goo Goo Cluster ice cream bar, Mackinac Island Fudge, Moose Tracks, or Gitchigoomie Bear Nuggets ice cream mean anything to you, you can credit Jon. Jon grew up in the dairy supply industry and credits his father, Robert Beckwith, with passing on to him the creative gift. The senior Beckwith invented the Kellogg variety pack in 1936, the half gallon ice cream carton in 1952, and the gallon ice cream carton in 1963. In the late '70s, Jon said it dawned on him that ice cream is an overindulgent, rewarding experience. He realized then that ice cream is not a food. It is entertainment. All who know Jon have heard him say countless times when asked what he does, "I am in the entertainment business."

Jon trademarked Ryba's Mackinac Island Fudge ice cream in 1986 and registered his first flavor, Moose Tracks, in 1991, and Denali Flavors Alaskan Classics was born. By the year 2000, there were over 60 dairies running Moose Tracks nationally, making it the first and only flavor to ever outsell vanilla. In 2000, Jon desired to create a new company that would highlight his first loves, the Great Lakes and Mackinac Island. He sold off Denali and began Mackinac Island Creamery. In three and a half years, Mackinac Island Creamery has grown from six premium flavors in southern Michigan to a line encompassing over 50 premium flavors throughout the Midwest and at resorts on the East Coast. Mackinac Island Creamery is also branching into the retail market this summer with franchise stores offering not only ice cream, but candies, bread, and coffees, all with the unique stamp that says "Mackinac Island Creamery: The Delicious Art of Entertainment."

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators McManus, Switalski, Johnson, Jelinek, Olshove, Jacobs, Clarke, Prusi, Schauer, Scott, Barcia and Emerson introduced

Senate Bill No. 1337, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 11 and 23 (MCL 432.11 and 432.23), as amended by 1996 PA 167.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senators Birkholz, Goschka, Jelinek, Cropsey, Van Woerkom, Cassis, Patterson, McManus, Bishop, Hardiman, Allen and Kuipers introduced

Senate Bill No. 1338, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311g (MCL 380.1311g), as added by 1999 PA 23.

The bill was read a first and second time by title and referred to the Committee on Education.

Senators Cherry, Toy, Prusi, Scott, Olshove, Brater, Switalski, Emerson and Jacobs introduced

Senate Bill No. 1339, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," (MCL 484.1101 to 484.1717) by adding section 408a.

The bill was read a first and second time by title and referred to the Committee on Technology and Energy.

Senator Hammerstrom moved that when the Senate adjourns today, it stands adjourned until Wednesday, July 14.

The motion prevailed.

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 1075, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17049 and 17549 (MCL 333.17049 and 333.17549), as added by 1990 PA 247.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Bernero and Jacobs

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Health Policy reported

House Bill No. 6021, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766 (MCL 333.17766), as amended by 1990 PA 30, and by adding section 17766d.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Bernero and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, June 30, 2004, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hammerstrom (C), Patterson, George, Bernero and Jacobs

The Committee on Families and Human Services reported

House Bill No. 5118, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5474a; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Jacobs

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Families and Human Services reported

Senate Bill No. 1319, entitled

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1 and 6 (MCL 400.231 and 400.236), section 1 as amended by 2002 PA 564 and section 6 as added by 1999 PA 161.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Bill Hardiman

Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom, Sanborn and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Wednesday, June 30, 2004, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Hardiman (C), Hammerstrom, Sanborn and Jacobs

Excused: Senator Clark-Coleman

The Committee on Technology and Energy reported

House Bill No. 5798, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 2001 PA 169.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Bruce Patterson

Chairperson

To Report Out:

Yeas: Senators Patterson, Toy, Birkholz, Brown, Cassis, Olshove and Bernero

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, June 30, 2004, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Toy, Birkholz, Brown, Cassis, Olshove and Bernero

Excused: Senator Leland

The Committee on Local, Urban and State Affairs reported

House Bill No. 5113, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," by amending section 4 (MCL 45.504), as amended by 1980 PA 7.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Laura M. Toy

Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz and Goschka
Nays: Senators Basham and Bernero
The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 5114, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 2 (MCL 46.402).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz and Goschka
Nays: Senators Basham and Bernero
The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 5446, entitled

A bill to amend 1945 PA 282, entitled "An act to provide for county planning; the creation, organization, powers and duties of county planning commissions," by amending section 2 (MCL 125.102).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 5664, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18401, 18413, and 18421 (MCL 333.18401, 333.18413, and 333.18421), section 18421 as amended by 1993 PA 79.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 1293, entitled

A bill to designate February 6 of each year as Ronald Wilson Reagan day in the state of Michigan.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka and Basham
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 1317, entitled

A bill to create the Ronald Wilson Reagan memorial monument fund commission to govern the Ronald Wilson Reagan memorial monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; to provide for penalties; and to provide for dissolution of the commission.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz and Goschka

Nays: Senator Basham

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Thursday, July 1, 2004, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Toy (C), Birkholz, Goschka, Basham and Bernero

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Thursday, July 1, 2004, at 12:45 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry and Switalski

Excused: Senator Clarke

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Capital Outlay submitted the following:

Meeting held on Tuesday, July 6, 2004, at 8:30 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators George, Cropsey, Clarke and Cherry

Excused: Senators Johnson (C), Goschka, Hardiman and Prusi

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 3:22 p.m.

Pursuant to the order previously made, the President pro tempore, Senator Birkholz, declared the Senate adjourned until Wednesday, July 14, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

